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ORACLE AMERICA, INC.

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

ORACLE AMERICA, INC.

Plaintiff,

v.

GOOGLE, INC.

Defendant.

Case No. CV 10-03561 WHA

**ORACLE AMERICA, INC.'S  
ADMINISTRATIVE MOTION TO FILE  
UNDER SEAL EXHIBITS TO MEREDITH  
DEARBORN'S DECLARATION IN  
SUPPORT OF ORACLE AMERICA,  
INC.'S MOTION TO EXCLUDE  
PORTIONS OF THE RULE 706 EXPERT  
REPORT OF DR. JAMES KEARL**

Dept.: Courtroom 4, 3rd Floor  
Judge: Honorable William H. Alsup

Pursuant to Local Rule 79-5(d), Plaintiff Oracle America, Inc. (“Oracle”) hereby moves to file Exhibits A and B to the Declaration of Meredith Dearborn In Support of Oracle’s Motion to Exclude Portions of the Rule 706 Expert Report of Dr. James Kearl (“Dearborn Declaration”), and portions of the Motion to Exclude Portions of the Rule 706 Expert Report of Dr. James Kearl that refer to those exhibits, under seal.

The Order Approving Stipulated Protective Order Subject to Stated Conditions entered in this case (Dkt. No. 68) states that when material has been designated as Confidential or Highly Confidential – Attorneys’ Eyes Only, a party may not file it in the public record, but must seek to file it under seal pursuant to Local Rule 79-5. (December 17, 2010 Stipulated Protective Order (Docket No. 66) § 14.4.) Google, Inc. (“Google”) has designated Exhibits A and B Confidential or Highly Confidential – Attorneys’ Eyes Only by Google, Inc. (“Google”), thus Oracle moves to seal them pursuant to the protective order.

Oracle requested that Google agree to file these materials in the public record, but Google’s counsel refused. (Dearborn Decl. ¶ 5.)

Oracle states no position as to whether disclosure of these materials would cause harm to Google.

Dated: May 1, 2012

BOIES, SCHILLER & FLEXNER LLP

By: /s/ Steven C. Holtzman  
Steven C. Holtzman

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ORACLE AMERICA, INC.